

**SPECIAL MEETING
CITY COUNCIL
December 20, 2005**

ROLL CALL:

MR. WOJCIK, MR. DUNNE, MR. JUDGE, MR. KROGH, MR. MAHONEY, MRS. COLLIER, MS. MESSICK, MR. ARMET,
MRS. MAHAR DERGURAHIAN
ABSENT:

PUBLIC FORUM: LIST OF SPEAKERS ON FILE IN THE CLERK'S OFFICE

Ordinance No. 1 **Date** December 20, 2005
Introduced by Council Member DerGurahian
At the request of Administration **Seconded by** Judge

ORD #1

ORDINANCE AMENDING ORDINANCE NO. 12 APPROVED
 DECEMBER 4, 1975, AS AMENDED BY ORDINANCE NO. 1
 APPROVED DECEMBER 15, 1979, AS AMENDED BY
 ORDINANCE NO. 1 APPROVED APRIL 14, 1983, AS
 AMENDED BY ORDINANCE NO. 1 APPROVED APRIL 2, 1992,
 AS AMENDED BY ORDINANCE NO. 2 APPROVED JANUARY 19, 1996,
 AS AMENDED BY ORDINANCE NO. 2 APPROVED JANUARY 8, 1998,
 AS AMENDED BY ORDINANCE NO. 8 APPROVED DECEMBER 6, 2001,
 AS AMENDED BY ORDINANCE NO. 3 APPROVED JANUARY 8, 2004,
 AS AMENDED BY ORDINANCE NO. 1 APPROVED DECEMBER 16, 2004
 ESTABLISHING THE WATER METER RATE WITHIN THE
 CORPORATE LIMITS OF THE CITY OF TROY

The City of Troy, in City Council, convened, ordains as follows:

Section 1. Schedule II of Ordinance No. 12 approved December 4, 1975, as amended by Ordinance No. 1 approved December 15, 1979, as amended by Ordinance No. 1 approved April 14, 1983, as amended by Ordinance No. 2 approved April 2, 1992, as amended by Ordinance No. 2 approved January 19, 1996, as amended by Ordinance No. 2 approved January 8, 1998, as amended by Ordinance No. 8 approved December 6, 2001, as amended by Ordinance No. 3 approved January 8, 2004, and as amended by Ordinance No. 1 approved December 16, 2004 establishing the water meter rate within the corporate limits of the City of Troy is hereby amended to read as follows:

Section 1. Pursuant to Section 10.07 of the City Charter of the City of Troy entitled "Water and Sewer Charges", the City Council hereby establishes the water meter rate within the corporate limits of the City of Troy at Three Dollars and Twelve Cents (\$3.12) per thousand gallons.

Section 2. This act shall take effect January 1, 2006.

Approved as to form, December 8, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 8

Noes: 1 - Dunne

Sent to the Mayor for Executive Action 12-21-05, Approved, Returned 12/21/05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 2 Date December 20, 2005

Introduced by Council Member Armet

At the request of Administration Seconded by Krogh

ORD #2

ORDINANCE APPROVING THE MEMORANDUM OF AGREEMENT
BY AND BETWEEN
THE CITY OF TROY, NEW YORK
AND
THE COMMAND OFFICERS ASSOCIATION OF TROY

The City of Troy Council, convened, ordains as follows:

- Section 1: The City of Troy and the Command Officers Association of Troy (hereinafter: "C.O.A.T.S.") have entered into a Memorandum of Agreement for the term of January 1, 2003 through December 31, 2004.
- Section 2: The Memorandum of Agreement is attached hereto and made a part hereof.
- Section 3: The Honorable Harry J. Tutunjian, Mayor of the City of Troy and Captain Robert Paul, authorized representative of C.O.A.T.S. have both executed the attached Memorandum of Agreement and same has been ratified by the membership of C.O.A.T.S.
- Section 4: Upon approval by the City Council of the City of Troy, this Memorandum of Agreement shall be binding upon all parties to said agreement.

Approved as to form, December 8, 2005

David B. Mitchell
Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 12-21-05, Approved, returned 12/21/05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 3 **Date** December 20, 2005
Introduced by Council Member Collier
At the request of Administration **Seconded by** Messick

ORD #3

ORDINANCE AUTHORIZING THE RE-CONVEYANCE OF 3038 SEVENTH AVENUE TO HAROLD TEMPLE, THE FORMER OWNER OF THAT CERTAIN PIECE OF REAL PROPERTY WHICH WAS TAKEN IN THE 2005 IN-REM FORECLOSURE

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The hereinafter described City owned property, acquired through the foreclosure of tax liens, is not needed for public purposes.

Section 2. The Bureau of Surplus Property received a duly verified application for reconveyance attached hereto and made a part hereof from the former owner pursuant to the requirements in Section 25½-5 of the Code of Ordinances.

Section 3. The Mayor is hereby empowered to execute and deliver to the applicant Harold Temple for the sum of \$9,539.64 a quitclaim deed conveying said premises hereinafter described, but said conveyance is to be made subject to the conditions hereinafter set forth.

DESCRIPTION: Tax Map No. SBL: 90.71-2-28, also known as 3028 Seventh Avenue.

CONDITIONS: Within thirty (30) days of the effective date of this Ordinance, the purchaser shall pay the purchase price which includes all back taxes, a reconveyance fee, title search fee, and payment of advertising costs, City taxes through 12/31/2005 and School taxes through 12/31/2005.

- A. Upon the 1st day of January 2005, for Troy School taxes, upon the 1st day of January 2005, for Lansingburgh School taxes, and upon the 1st day of January 2005, for City taxes and other assessments, taxes shall become due and payable by the purchaser except all water and sewer rents which have not become liens shall continue to be charged to the purchaser.
- B. This conveyance is subject to any and all liens, encumbrances and defects which existed on the date of filing of the delinquent tax list except for the tax liens which were canceled as part of this transaction.
- C. Purchaser shall deliver to the City any instruments required by the City to release and discharge the City to release and discharge the City from any and all claims arising out of this transaction.

Section 4. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens, and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy as needed.

Section 5. This Ordinance shall take effect immediately.

Approved as to form, December 14, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 12-21-05, Approved, returned 12/21/05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. 4 **Date** December 20, 2005
Introduced by Council Member Collier
At the request of Administration **Seconded by** Judge

ORD #4

**ORDINANCE AUTHORIZING AND DIRECTING SALE BY THE PROPOSAL METHOD OF
SURPLUS CITY OWNED REAL PROPERTIES**

The City of Troy, in City Council convened, ordains as follows:

Section 1. Pursuant to Chapter 83 of the Code of Ordinances, the Bureau of Surplus Property accepted proposals on the hereinafter-described property.

Section 2. The Mayor is hereby authorized and directed to sell and convey the hereinafter described real property to the following named purchasers for the sale prices indicated in Schedule "A", which is hereby determined to be a fair price for the same without the necessity of competitive bidding and upon the terms and conditions set forth below.

Section 3. The purchasers, purchase prices and terms and conditions of sale are as follows:
PURCHASERS and PURCHASER PRICES: See Attached Schedule "A", attached hereto and made a part hereof.

TERMS AND CONDITIONS:

A. Within thirty (30) days of the effective date of this ordinance, the purchaser shall schedule and complete a closing of title, pay the purchase price, plus advertising cost and payment in lieu of City taxes through December 31, 2005, and Troy School taxes through June 30, 2006, or Lansingburgh School Taxes through August 31, 2006 and execute a contract setting forth the conditions of sale as outlined in the annexed proposal and guaranteeing performance.

B. Upon the 1st day of January 2006, taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.

C. All conveyances are made subject to the condition that the structure be repaired in conformance with the building, housing and fire prevention codes within six (6) months after the date of the filing of the Deed by the City. If the purchaser, his successor, or assigns shall fail to comply with this condition, the City of Troy has a right to re-enter the property without refunding the purchaser price.

D. Purchaser shall be liable for and pay all closing costs related to this sale including, but not limited to, filing fees, deed stamps and attorneys fees.

Section 4. The said parcels of real property being sold by the City Council identified in Schedule "A", attached hereto and made a part hereof.

Section 5. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy, as necessary.

Section 6. This Ordinance shall take effect immediately.

Approved as to form, December 14, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 8

Noes: 0

Abstain: 1 – Mahoney (Wife bid on #88)

Sent to the Mayor for Executive Action 12-21-05, Approved, returned 12/21/05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Ordinance No. <u>5</u>	Date <u>December 20, 2005</u>
Introduced by Council Member <u>DerGurahian</u>	Seconded by <u>Collier</u>

ORD. #5

**ORDINANCE AMENDING THE 2005 CITY BUDGET TO TRANSFER FUNDS WITHIN THE
GENERAL FUND BUDGET LINES TO THE CAPITAL FUND TO AMEND THE GATEWAY
INITIATIVE CAPITAL FUND PROJECT**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2005 budget is herein amended as set forth in Schedule A entitled:

2005 GATEWAY INITIATIVE INTERFUND TRANSFER

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, December 29, 2005

David B. Mitchell, Corporation Counsel

Ordinance ADOPTED by the following vote:

Ayes: 9

Noes: 0

Abstain: 0

Sent to the Mayor for Executive Action 12-21-05, Approved, returned 12/21/05

SUPPORT DOCUMENTATION ON FILE WITH LEGISLATION

Meeting adjourned at 7:20pm.